Abdullah, Mohammed, Sheik

To,

The Hon'ble Members
Security Council
United Nations Organisation,
New York

FORMER PRIME MINISTER of KASHMIR APPEALS FROM BEHIND PRISON WALLS

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Security Council
United Nations organisation,
New York.

Your Excellencies,

These developing events indicate that the nine-year old Kashmir Question is very likely to come up for your consideration very soon, and in all probability you will give your most earnest attention to it with a view to effect a final settlement of the Dispute. Quite naturally, on such an important occasion I would have very much liked to be able to personally present before your Excellencies some outstanding aspects of the question and explain the urgent and immediate need for a final settlement and early termination of the protracted agony of my people. But that is not to be!- Your Excellencies are perhaps aware that I am completing my third year of incarceration in a detention camp in the State where I have been whisked off as a result of coup d'état of 9th Aug: 1953. Accordingly, the only course available to me is to send out this letter and pray for Your Excellencies indulgence in the hope that facts stated here will receive your Excellencies earnest consideration

2. As a Spear-head of peoples' struggle against autocracy and economic exploitation, I led a powerful mass-movement in Kashmir for over two decades. This movement which passed through various trouble and travails had always "Sovereignty of the people" as its bed-rock. Many of our comrade-in-arms laid down lives for this Cherished goal and many others went through great sufferings

FOREWORD

Reproduced here is a letter hand-written by Sheikh Muhammad Abdullah, one-time Prime Minister of Kashmir, to the members of the Security Council, a copy of which was received by the Foreign Minister of Pakistan currently in New York. The letter came with a covering note from the Acting Secretary of the Kashmir Plebiscite Front, a political organization in Indian-held Kashmir, whose leaders have been put in jail for demanding a U. N. Plebiscite in the State. (Facsimiles of the first and last pages are reproduced in this booklet.)

Sheikh Muhammad Abdullah was the leader of a powerful freedom movement in the State of Jammu and Kashmir against the feudal ruler. He was sent to jail several times together with other patriots. Pandit Nehru's own party, the Indian National Congress, gave him the title of "Lion of Kashmir."

When Indian troops occupied Kashmir, Sheikh Abdullah was installed as the Prime Minister of the State and his support was claimed as amounting to popular support.

He was a full-fledged member of the first Indian Delegation to the Security Council January 1948. He again appeared as a member of the Indian Delegation in 1949.

It is not known when exactly the process of disenchantment with India began, but it was completed in 1953, when Sheikh Abdullah was sent to prison without a trial or a formal charge. He has been there since and has written this letter from behind the prison walls.

Also included in this booklet are the resolutions of the Security Council reaffirming its stand on Kashmir (page 2) and editorials from *The Washington Post*, *The New York Times* and *The Washington Star* (pages 11 and 12) on India's defiance of the United Nations.

SECURITY COUNCIL REAFFIRMS U.N. PLEBISCITE IN KASHMIR

By a 10 to 0 vote, with the Soviet Union abstaining, the Security Council of the United Nations adopted the following resolution sponsored by Australia, Colombia, Cuba, United Kingdom and the United States on **January 24, 1957:**

The Security Council,

Having heard statements from representatives of the Governments of India and Pakistan concerning the dispute over the State of Jammu and Kashmir,

Reminding the Governments and Authorities concerned of the principle embodied in its resolutions of 21 April 1948, 3 June 1948, 14 March 1950 and 30 March 1951, and the United Nations Commission for India and Pakistan resolutions of 13 August 1948 and 5 January 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations,

Reaffirms the affirmation in its resolution of 30 March 1951 and declares that the convening of a Constituent Assembly as recommended by the General Council of the "All Jammu and Kashmir National Conference" and any action that Assembly may have taken or might attempt to take to determine the future shape and affiliation of the entire State or any part thereof, or action by the parties concerned in support of any such action by the Assembly, would not constitute a disposition of the State in accordance with the above principle.

Decides to continue its consideration of the dispute.

To: The Hon'ble Members
Security Council,
United Nations' Organisation,
New York.

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Fast developing events indicate that the nine-year old Kashmir question is very likely to come up for your consideration very soon, and in all probability you will give your most earnest attention to it with a view to affect a final settlement of the Dispute. Quite naturally, on such an important occasion I would have very much liked to be able to personally present before your Excellencies some outstanding aspects of the question and explain the urgent and immediate need for a final settlement and early termination of the protracted agony of my people. But that is not to be! Your Excellencies are perhaps aware that I am completing my third year of incarceration in a detention camp in the State where I have been whisked off as a result of coup-d'etat of 9th Aug. 1953. Accordingly, the only course available to me is to send out this letter and pray for Your Excellencies indulgence in the hope that facts stated here will receive Your Excellencies earnest consideration.

2. As a spear-head of people's struggle against autocracy and economic exploitation I led a powerful mass-movement in Kashmir for over two decades. This movement which passed through various troubles and travails had always "sovereignty of the people" as its bed-rock. Many of our comrades-in-arms laid their lives for this cherished goal and many others went through great sufferings in the pursuit thereof. With the tragic partition of the sub-continent of India, though the flames of communal orgy engulfed the sub-continent, taking a heavy toll of human life, the State of Jammu and Kishmir kept its head cool and considerably succeeded in maintaining communal harmony in Kashmir. Unfortunately, however, the partition of India did not

wholly spare Kashmir from its after affects and a tribal invasion on the State from the North-West followed in 1947. Under the stress of this invasion the then Maharaja of Kashmir appealed to India for armed intervention.

3. In order to make military intervention from India legally possible the Maharaja had to sign an instrument of Accession with India. This accession was, however, declared by India only a provisional and the disposal of the State was finally to be made in accordance with the free will of the people. On 27th Oct. 1947 Lord Mountbatten the then Governor General of India wrote to Maharaja in reply to his letter offering accession of the State with India that "... as soon as law and order have been restored in Kashmir and its soil cleared of the invader, the question of State's accession should be settled by a reference to the people."

4. On 2nd Nov. 1947 Pt. Jawahirlal Nehru, Prime Minister of India in his broadcast speech declared "We are anxious not to finalize anything in a moment of crisis and without the *fullest* opportunity to be given to the people of Kashmir to have their say .... The accession must be made by the people of that State .... We will not and can not back out of it. (See appendix No. 2.).

5. On behalf of India there are innumerable commitments made to the United Nations Organisation as well as to the people of Kashmir that the latter *alone* can decide their fate through an *impartial plebiscite.* Thus, India came to Kashmir as the champion and protector of our right of self-determination and under that slogan fought back the invaders with our support.

6. On 13th Aug. 1948 and later on 5th Jan. 1949 the U.N. Commission on India and Pakistan passed two historic resolutions incorporating the solemn agreements of the two countries that accession shall be decided through a free and impartial plebiscite under the aegis of U.N. organisation. These international commitments to the people of Kashmir are categorical and unambiguous.

7. In 1951 a Constituent Assembly was convened in the Indian-occupied part of the State with a view to give constitutional shape to the Govt. Pakistan, suspecting back-door decision on accession through this Constituent Assembly, took strong exception in the Security Council to the convening of this Assembly and its competence to decide the question of accession. Sir B. N. Rau, leader of the Indian Delegation in the United Nations, in his speeches before the Security Council delivered on 12th and 29th March 1951, made the object of the Assembly abundantly clear and declared unequivocally that in reference to accession the Constituent Assembly can take no decision and his Government will be bound by her commitments made to the United Nations in this regard. The Security Council on the basis of this international commitment registered its verdict on these terms " . . . and any action that Assembly might attempt to take to determine the future shape and *affiliation* of the entire State, or any part thereof would not constitute a disposition of the State in accordance with the above principle." (Resolution of Security Council of March 1951). Pt. Jawahirlal Nehru while answering questions in the Indian parliament in Feb. 1955 characterised the Kashmir Assembly's pronouncement on accession as "unilateral" and therefore of no consequence.

7. Meanwhile the Security Council had suggested that the two countries should try to affect a peaceful settlement of this dispute through direct negotiations.

8. As leader of the National Conference prompted by the sole desire of facilitating a settlement with due regard to the wishes of the people I, in consultation with the Executive of my organisation and with the full approval of a top-level committee nominated by the Executive of the National Conference for the purpose, drew up a list of possible alternative means of settlement of this dispute. Accordingly, I communicated these alternatives to the Prime Minister of India early in July 1953, so that in the forthcoming talks between the two Prime Ministers of India and Pakistan our approach to the peaceful settlement

of the dispute would not be lost sight of. Unfortunately India did not seem to like this and turned hostile.

9. A deep and carefully screened conspiracy against me and my followers was the result. Kashmir, unfortunately, is the root cause which deeply embitters the relations between India and Pakistan and in any conflict this State is bound to be the first casualty. No peaceful progress is possible within the State unless this dispute is finally and amicably settled. These are weighty considerations and no one who has the real good of the State at heart can lose sight of these factors. For some time past I had therefore been pressing for an early settlement of this dispute with Pakistan (See appendix No. 1). Indian reaction was averse to this approach and her resentment towards me gradually culminated in positive hostility.

10. Disruption and factionalism in our ranks and corruption of our people was therefore resorted to by India for breaking our unity and thus achieving its nefarious end. The plot culminated in the coup-d'etat on 9th Aug. 1953. In the early hours of that night I and my cabinet were dismissed without a confidence motion of the Assembly by the legally and constitutionally questionable fiat of the Head of the State. I was put under arrest along with another Minister of my cabinet and am now under continued detention nearly for the last three years without trial and without even a charge.

11. Simultaneously with my arrest thousands of my followers and co-workers, including Deputy Ministers, high ranking Gazetted Officers, respectable business men, lawyers, Members of the Assembly and public men of high position in life were clapped into prison. All manner of repressive measures were let loose in order to crush the spontaneous uprising of the people throughout the valley. Indian Central Reserve Police and army as well as the militia, and the special police were given a free license to shoot at sight and commit all other possible atrocities on the defenseless people—thousands were beaten or starved in the jails in order to break them into submission—the

number of those killed was officially reported to be 36 although the public version puts it very much higher. No judicial enquiry was held to investigate into these atrocities which include among their victims even pregnant women and children. More than a score of Assembly members was detained without charge and many others kept under house arrest.

12. It was under these bloodcurdling circumstances that a session of the Assembly was called to record its approval of the coup and a vote of confidence in the new government. From prison I sent telegraphic requests to the President of the Union of India, to its Prime Minister and to the Speaker of the Assembly to allow me to appear before the House and face a motion of no-confidence in a democratic manner but no heed was paid to it. Thus almost with a pistol on the necks of the Assembly Members and with massacre and terrorism all over the Valley, a vote of confidence for the Govt. pitckforked into office with the help of Indian bayonets was secured. No greater fraud on democracy can be conceived! What moral, legal or constitutional value this fraudulent act has need hardly be explained.

13. Thus India manoeuvered to remove those elements from the Kashmir scene which she thought stood in the way of her anti-Kashmirí designs and subsequently sought ratification of accession through the Assembly. To say the least, it is a fraud upon the people, betrayal of their right of self-determination and gross breach of international commitments and promises.

15. In March 1956, the Prime Minister of India made a public declaration ruling out plebiscite in Kashmir. It has shocked the world conscience and stunned the people of Kashmir to whom innumerable assurances had been held out that they will shape their own destiny through a fair and impartial plebiscite.

Reasons advanced for this face volte are that Pakistan has joined SEATO received Arms Aid from America and signed the Baghdad Pact. The absurdity of the argument is patent. What ever Pakistan may do or might have done,

that can be no valid reason for denying the Kashmiris the exercise of their right of self-determination in order to shape their own future. Secondly India's Prime Minister has hinted that a vote in favour of Pakistan will rouse communal passions in India and endanger the security of its Muslim minority. This argument is also untenable. Is India's secularism so skin deep that it will collapse like a pack of cards as soon as Kashmiris exercise their right of self-determination? One may as well ask: Are Kashmiris to be held as hostages for fair treatment of Muslim minority under the so-called Secular Democracy of India? Were India's oft repeated promises to the people of Kashmir that they alone shall have the right to decide their own future through an impartial and fair plebiscite intended to be implemented only in case a vote in her favour was certain?

14. India has repeatedly claimed that Kashmir is fast progressing and that the political uncertainty has ended. Nothing can be farther from truth. Kashmir is at present ruled by monstrous laws which have crippled all political and social life in the State and paralysed all progress. A lawless law of Preventive Detention has been promulgated in the State with the sanction of the President of the Republic of India which has stifled all civil liberties. This law authorizes arrests and detention for a period of five years without trial or even without disclosing the grounds of detention. Free and frequent use is made of this law of the jungle. Respectable citizens and political workers have been arrested under this law on the excuse of having publicized the speeches of opposition members delivered in the legislature or even legitimately organising support for the opposition in the House. Members of the Assembly who expressed their intention of crossing the floor in the House were put under arrest. In certain cases resignations were extorted under the pressure of this monstrous law and instances are not wanting where the members were publicly threatened of getting them involved in fabricated criminal cases if they failed to support the Govt. party.

Indian money is being lavishly used for organising gang-

sters for looting, insulting and publicly flogging respectable citizens who do not see eye to eye with the ruling party. Colossal amounts borrowed on interest from India are used in corrupting public life and thereby purchasing the public conscience. It is however, gratifying to note that all these dirty methods have so far failed to corrupt the people into submission, and with one voice they demand the fulfilment of the promise made to them by India, Pakistan and United Nations to exercise their right of self-determination in a free and democratic manner.

The Indian press almost without exception, is positively hostile to all tendencies in favour of the plebiscite. Any Indian newspaper writing in favour of the fulfilment of the promise held out by India to the people of Kashmir or criticising the present administration in Kashmir is immediately bribed or blacklisted and its entry into the State banned. Foreign correspondents are seldom allowed in and if and when such a journalist finds his way to the Valley every precaution is taken that he does not get a peep into the realities of the situation. There is a virtual Iron Curtain over the Valley. No citizen dare to approach a visitor to acquaint him with the tale of his misery for fear of gestapo and subsequent torture. I challenge anyone to refute it. Under an impartial agency the scathing sea of resentment of Kashmiris will be unleashed and a real picture will come to light in those circumstances alone. Recent civic elections held in Srinagar and in Jammu afford a proof positive of oppressive and fraudulent practices of the ruling party in Kashmir. Muslim organisations and political bodies with overwhelming Muslim membership completely boycotted these elections. Some Hindu opposition organisations however contested these elections against the ruling party. The Hindu press both in and outside the State has published a surprising account of corruption, malpractices, impersonation and fraudulent methods used in these elections by the ruling party. It was through these shady means that the ruling party has

secured all the seats in the Srinagar Municipal Corporation and majority in the Jammu Corporation.

15. Kashmiris are facing untold miseries during the present phase of their history. No progress—economic or political—is possible under such circumstances. Kashmir has become an oozing sore in the bodypolitic of the sub-continent. It has embittered beyond measure relations between the two countries. The two armies facing each other across the cease-fire line, constitute a potential powder magazine which may flare up any time into a devastating war. Its consequences are too grim to imagine. In such an eventuality Kashmir will be wiped out completely—and far worse may happen. Is the world conscience so dead as not to wake up in time?

If a member of the world organisation is so easily to denounce international commitments and trample over without qualms the human rights of millions it will, I am afraid, deal a death blow on the effectiveness of the Security Council, will shock the confidence of small nations in the world organisation and endanger world peace.

17. On behalf of the millions of Kashmiris and in the name of peace and progress of hundreds of millions of the sub-continent I appeal to your Excellencies to firmly stand by the pledges of the Security Council and execute its decision. I also appeal to the freedom loving countries of the world, to those who have signed the United Nations Charter and pledged themselves to honour it in word and deed as well as to those nations whose leaders have fought and given their lives to establish people's right of self-determination, to rise above international differences and disputes and lend a firm and unanimous support to the right of four million down-trodden Kashmiris and allow them to decide their own future in a free and democratic atmosphere. That alone will end the agony of the people of Kashmir and eliminate a grave danger to peace.

Yours sincerely,

(Signed) S. M. ABDULLAH

Defiance on Kashmir

Surely Mr. Nehru cannot welcome the prospect that India will be in defiance of the United Nations. That will certainly be the case, however, if India goes ahead today with the incorporation of Kashmir in connection with the celebration of Republic Day. Mr. Nehru has stated that the emergency resolution passed Thursday night by the U.N. Security Council will not alter India's position. That resolution properly insisted that there be no change in the status of Kashmir until the people decide their future through a plebiscite.

The Security Council deserves credit for not pulling its punches in approval of the resolution by a 10-0 vote. It is noteworthy that Russia abstained instead of vetoing the resolution, thus in effect repudiating Mr. Khrushchev's assertion that Kashmir belonged to India. This is some gain.

A standstill agreement, even if it can be obtained, will of course be no solution. There can be no real peace between India and Pakistan, and no security in the subcontinent until the matter is resolved. Rights and wrongs are to be found on both sides of the dispute over this Moslem state. It is fair to say, however, that Pakistan has exercised considerable restraint in the face of unilateral Indian action. By the same token, if India really has confidence in her case, she cannot logically object to a plebiscite under U.N. auspices.

For these reasons the issue needs to be kept before the world. It would be indeed distressing if India, which has so often invoked moral force (with considerable effect) on other international issues, should attempt to flout the world conscience on an issue close to home.

—THE WASHINGTON POST, *January 26, 1957*

The Pakistan Riots

The Pakistan riots, in protest against India's attempt to attach Kashmir by force and decree and in violation of repeated United Nations resolutions, are the wrong way to go at the problem. We congratulate the Government of Pakistan on its firm efforts to curb this sort of demonstration. Nothing will be solved by burning anyone in effigy. No basis for agreement is reached by throwing stones.

This does not mean that we are insensible to the grave provocation under which the Pakistanis now feel themselves to be. The Indian statements in the United Nations on this disputed case were more than provocative. They were defiant, not merely of Pakistan, not merely of the will of the Kashmiri people, but of the United Nations itself. There was on the part of the Indian spokesman no attempt to reach agreement or settlement. There was no disposition to allow the representatives of other nations to make a dispassionate judgment. There was no indication of allowing the people of Kashmir to make their own decisions.

Under those conditions we are obliged to reach the conclusion that the Indian case must be woefully weak or it would not be presented with such a maximum of arrogant words, such a minimum of goodwill and such

meager search for a rightful solution. Pakistan, in agreeing to eleven different decisions of the United Nations—all of which were rejected by India—has shown a more constructive approach to the problem.

It is for this reason that we feel impelled to urge the Pakistanis to be patient once more. Their case is so strong that it should not be weakened by any thoughtless show of violence. The situation is so sensitive, in both India and Pakistan, that any breakdown of public order may have grave consequences. Pakistan's Government obviously knows this.

The United Nations is not absolved from responsibility. Its Security Council has once more indicated the proper course of action. The United Nations cannot afford to let one member, India, flout that collective will. Rioting in Pakistan will not do any good. Firmness of purpose in the United Nations may help.

—THE NEW YORK TIMES, *January 28, 1957*

India's Contempt

India's contemptuous disregard of United Nations opinion on the Kashmir question is shocking and discouraging. Equally so is its disregard for whatever may be the wishes of the Kashmiri people—promised nearly a decade ago that they would have the same rights to political self-determination given to all Indian states when the subcontinent was partitioned. Indeed, India's offense in this matter is compounded by the fact that it was Prime Minister Nehru himself who first proposed after partition that Kashmiri sentiment—on whether the state wished to join India or Pakistan, or become independent—should be established through a free vote of the people. It was largely on the basis of that proposal that the United Nations in 1948, 1950 and 1951 called for "a free and impartial plebiscite" in the territory, to be conducted under the neutral auspices of the world agency. By a vote of 10 to 0, the Security Council now has reaffirmed that position. The answer of Mr. Nehru's government is that Kashmir has been an "inseparable" part of India since 1947, and that the formality of its accession is now "irrevocable."

Preceding this latest flaunting of world judgment is the long and consistent record of India's refusal to withdraw its troops from Kashmir or to allow the plebiscite to be held. At the same time, it has systematically crushed political freedom within the territory—ousting opposition leaders from office and even jailing some who dared express their disagreement with Indian policies. Its arbitrary position today is "justified" on the grounds that a Kashmiri Constituent Assembly—purged of opposition leaders and completely subservient to Indian wishes—has adopted a constitution authorizing accession of the state to the Republic of India. Without qualification, the Security Council's latest resolution declares that this action does not "constitute a disposition of the state."

It is not surprising that India's defiant action has prompted protest violence in Pakistan. But violence does not offer a solution, and indeed it is the danger that violence might become war that is causing gravest concern today. The Security Council resolved "to continue its consideration" of the Kashmir dispute. Pakistan should continue to press its cause before the U.N. And Mr. Nehru should think again about his own course and the indictment brought against it by such an important body of world opinion.

—THE EVENING STAR, Washington, D. C., *January 28, 1957*

Information Division, Embassy of Pakistan, Washington, D. C.

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Do the world-organisation so dead as not to wake up in time?

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Yours Sincerely,

[signature]

"How True"

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NEHRU
U.N.
KASHMIR
HERBLOCK
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